

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	CASE NO. 1:14-cr-00157
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
MICHAEL J. KISLING,)	
)	
Defendant.)	<u>ORDER</u>

This matter is before the Court upon Magistrate Judge Kathleen B. Burke's Report and Recommendation that the Court adopt the Magistrate Judge's Report and Recommendation and find that the defendant is competent to stand trial. [ECF No. 9.](#)

On January 2, 2014, a Preliminary Examination and Detention Hearing was scheduled to take place. However, upon oral motion of James M. Campbell, counsel for the defendant, a Competency Evaluation was ordered by Magistrate Judge Kathleen B. Burke.

A Psychiatric Report was received and a Competency Hearing was held on May 8, 2014, before Magistrate Judge Kathleen B. Burke. At the hearing, counsel for the Government and counsel for Defendant both stipulated to the Report, which has been filed under seal. Counsel further stipulated to the finding in the Report that Defendant is competent to stand trial and waived the right to present any evidence in addition to the Report. Defense counsel indicated that he

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had reviewed the conclusions of the Report with the Defendant and that the conclusion of the Report was consistent with his observations and interactions with the Defendant. The Defendant indicated that he understood the conclusion of the Report that he is competent to stand trial and that he agreed with that conclusion.

For the reasons set forth in the Magistrate Judge's Report and Recommendation, this Court hereby adopts Magistrate Judge Kathleen B. Burke's Report and Recommendation and finds that the defendant Michael J. Kisling is competent to stand trial.

IT IS SO ORDERED.

June 23, 2014
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge